

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**CLAUDE AND GLENNIE WILLIAMS, )**

**Plaintiffs, )**

**v. )**

**AMERIQUEST MORTGAGE )  
COMPANY, )**

**Defendant. )**

**CASE NUMBER:**

**1:07-cv-00882-M**

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**DEFENDANT AMERIQUEST MORTGAGE COMPANY'S MOTION  
TO STAY OR, IN THE ALTERNATIVE, TO DISMISS**

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**COMES NOW** the defendant, Amerquest Mortgage Company, and moves this Honorable Court to stay the proceedings in this action pending transfer by the Judicial Panel on Multidistrict Litigation. In the alternative, Amerquest Mortgage Company moves this Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss the Complaint filed by plaintiffs. Per Local Rule 7.1(a), defendant's brief is being filed simultaneously with this motion.

Respectfully submitted,

s/Stephen J. Bumgarner  
Stephen J. Bumgarner (BUMGS2089)

Attorney for Defendant  
Ameriquest Mortgage Company

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 29, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to the following:

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s/ Stephen J. Bumgarner  
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